



Serial No. 10/601,810

Docket No.: 1572.1140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Byeong-chang LEE et al.

Serial No. 10/601,810

Group Art Unit: 2644

Confirmation No. 9850

Filed: June 24, 2003

Examiner: Grier, Laura A.

For: A METHOD OF SELECTING A FREQUENCY BAND OF AN OUTPUT AUDIO SIGNAL
BY A COMPUTER

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

The Examiner provided a Statement of Reasons for Allowance (Statement) as part of Notice of Allowance And Fee(s) Due mailed June 14, 2005. As the allowable features of the claimed present invention, the Statement appears to paraphrase certain claimed features rather than, for example, quoting from any of the independent claims 1, 23, and 26.

MPEP 1302.14 states in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible effects.

It is submitted that the Examiner's Statement might not meet the standards of MPEP 1302.14 and instead, raises "possible misinterpretations... and its possible effects" (MPEP 1302.14) concerning the allowed claims, as follows:

With respect to the independent claims 1, 23 and 26, although the prior art might indeed fail to disclose a patentably distinguishing feature of the claimed invention as paraphrased in the

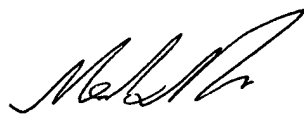
Statement, the Statement possibly provides an inaccurate characterization of the various patentably distinguishing features recited in the claims by not quoting from each independent claim 1, 23 and 26. Also, for example, the Statement groups claims 1 and 23 together, which could place unwarranted interpretations on each claim. Each claim speaks for itself as to what features are included therein and are their own best evidence as to the reasons for allowance of same. Also, for example, the Statement attempts to apply a paraphrased interpretation of the prior art, which has at least the potential of misinterpreting the actual scope of the prior art.

Therefore, Applicants respectfully note that there may be additional reasons for allowance that have not been specifically cited in the Statement, and which may apply to the various allowed claims, in addition to or instead of the cited reasons in the Statement. Applicant respectfully suggests that notwithstanding the Statement, it is believed that each of the allowed claims is patentable in its own right and/or for other reasons raised during the prosecution and/or explained in the specification of this application.

Regarding the Statement, Applicant expressly reserves the right to challenge any errors that may later be identified in any judicial or administrative proceeding.

Respectfully submitted,
STAAS & HALSEY LLP

Date: September 14, 2005

By: 
Mehdi Sheikerz
Registration No. 41,307

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile No.: (202) 434-1501



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LETTER TO THE EXAMINER SUBMITTING
CORRECTED DRAWINGS

MAIL STOP ISSUE FEE

Commissioner for Patents
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ATTENTION: OFFICIAL DRAFTSPERSON


Sir:

In accordance with the requirement in Paper No. 20050610, mailed June 14, 2005, wherein the Examiner required that corrected drawings be filed responsive to the Examiner's requirement, Applicants herewith submit one (1) Replacement Sheet of corrected drawing for FIG. 2, reference 40, correcting "AUTIOAUDIO" for filing in the subject application.

It is respectfully requested that the corrected drawing filed herewith be entered in the above-referenced application.

Respectfully submitted,
STAAS & HALSEY LLP

Date: September 14, 2005

By: 
Mehdi D. Sheikerz
Registration No. 41,307

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Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501